

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ROBERT FENNELL,

Plaintiff,

v.

JOHN E. WETZEL, *et al.*,

Defendants.

No. 4:22-CV-00880

(Chief Judge Brann)

**ORDER**

**AND NOW**, this 14<sup>th</sup> day of February 2023, in accordance with the accompanying Memorandum, **IT IS HEREBY ORDERED** that:

1. Defendants' motions to dismiss (Docs. 5, 17, 28) pursuant to Federal Rule of Civil Procedure 12(b)(6) are **GRANTED** as specified in the accompanying Memorandum.
2. Plaintiff's Section 1983 claims are **DISMISSED** with prejudice.
3. Plaintiff's state-law claims are voluntarily **DISMISSED** pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i). Alternatively, to the extent that Plaintiff did not intend to withdraw his state-law claims, the Court declines to exercise supplemental jurisdiction over them pursuant to 28 U.S.C. § 1367(c)(3).
4. Plaintiff's motion a preliminary injunction (Doc. 36) is **DISMISSED** as moot in light of the foregoing paragraphs.
5. The Clerk of Court is directed to **CLOSE** this case.

BY THE COURT:

*s/ Matthew W. Brann*

Matthew W. Brann

Chief United States District Judge